In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.72831-M of 2006

.....

Date of decision: 5.12.2006

Rani Devi alias Raj Rani

.....Petitioner

v.

State of Punjab

.....Respondents

....

Present: Mr. P.S. Rana, Advocate for the petitioner.

Mr. G.S. Bhandari, Deputy Advocate General, Punjab for the respondent-State.

.....

S.S. Saron, J.

Heard learned counsel for the parties.

The learned Additional Sessions Judge, Muktsar has granted conditional bail to the petitioner on her depositing a sum of Rs.1 Lac in the trial Court.

Learned counsel for the petitioner submits that the petitioner is a widow lady aged about 60 years and she has no means to deposit Rs.1 Lac. It is submitted that the condition imposed for depositing Rs.1 Lac is legally not sustainable.

In response, learned counsel for the State submits that the co-accused of the petitioner were granted bail on the condition that they deposit a sum of Rs. 1 Lac and they have been admitted to bail on the same condition.

After giving my thoughtful consideration to the matter, in my view, it would be inappropriate at this stage to order the petitioner to deposit Rs.1 Lac as a condition for release on bail. The petitioner is being prosecuted for the offences under Sections 409/120-B IPC which are triable by a Magistrate. The petitioner has been in custody since 7.10.2006 and the trial in the case will take some time. The co-accused of

the petitioner have been released on bail as they had the means to deposit Rs.1 Lac.

In the circumstances, the petitioner shall be admitted to bail on her furnishing personal bond and surety in the like amount to the satisfaction of the trial Magistrate.

The criminal miscellaneous petition stands disposed of accordingly.

December 5, 2006. **(S.S. Saron)**
Judge

hsp